

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BENJAMIN ABELLA, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

STUDENT AID CENTER, INC., a Florida
corporation, and MOZEO, LLC, a New York
limited liability company,

Defendants.

Case No. 2:15-cv-03067-SD

**PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL OF CLAIMS AGAINST
DEFENDANT MOZEO, LLC PURSUANT TO FED. R. CIV. P. 41**

PLEASE TAKE NOTICE that Plaintiff Benjamin Abella ("Plaintiff"), by and through his undersigned counsel, and pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), hereby voluntarily dismisses his individual claim, and those of the putative class he seeks to represent, against Defendant Mozeo, LLC in this action *without prejudice*. In support of the instant notice, Plaintiff states as follows:

1. Plaintiff filed this action on June 1, 2015. (Dkt. 1.)
2. Fed. R. Civ. P. 41(a)(1)(A) provides, in relevant part, that a "plaintiff may dismiss an action without a court order by filing: (i) a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment."
3. Defendant Mozeo, LLC has not filed an answer nor a motion for summary judgment in this action.
4. Accordingly, the claims against Defendant Mozeo, LLC may be dismissed *without prejudice* and without an order of the Court.

5. Nothing in this Notice shall be deemed to affect in any way the pendency of Plaintiff Abella's claims, or those of the putative class, against Defendant Student Aid Center, Inc.

Respectfully submitted,

BENJAMIN ABELLA, individually and on behalf
of all others similarly situated,

Dated: January 22, 2016

By: /s/ Courtney C. Booth
One of Plaintiff's Attorneys

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CERTIFICATE OF SERVICE

I, Courtney Booth, an attorney, hereby certify that on January 22, 2016, I served the above and foregoing ***Plaintiff's Notice of Voluntary Dismissal of Claims Against Defendant Mozeo, LLC Pursuant to Fed. R. Civ. P. 41*** by causing a true and accurate copy of such paper to be filed and served on all counsel of record via the Court's CM/ECF electronic filing system, on this the 22nd day of January 2016.

/s/ Courtney C. Booth _____